

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUAN ANDRES
MENDOZA-MARTINEZ,

Petitioner,

v.

DAVID J. EBBERT, *et al.*,

Respondents.

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CIVIL NO. 1:11-CV-0832

Hon. John E. Jones III

MEMORANDUM

May 26, 2011

THE BACKGROUND OF THIS MEMORANDUM IS AS FOLLOWS:

On May 3, 2011, Petitioner Juan Andres Mendoza-Martinez, an inmate presently confined at the Federal Correctional Institution Allenwood Medium (“FCI Allenwood Medium”) in White Deer, Pennsylvania, initiated the above action *pro se* by filing a Complaint in Mandamus under the provisions of 28 U.S.C. § 1361. (Doc. 1.) He requested that this Court compel Respondents to provide him with a copy of his immigration file.

On May 13, 2011, Petitioner filed a letter in which he stated that, on April 29, 2011, the United States Department of Justice (“DOJ”) responded to a Freedom of Information Act Request he submitted before filing the instant Complaint by

informing him that the information he seeks is available at FCI Allenwood Medium.

(*See* Doc. 6.) He attached a copy of the DOJ's response to his letter. (*See id.* at 2.)

Mendoza-Martinez did not state in his letter whether he wished to voluntarily withdraw the instant Complaint in light of the DOJ response to his request. Therefore, by Order dated May 16, 2011, we directed him to file a written notice within twenty-one (21) days whether he seeks to voluntarily withdraw his Complaint, or whether he seeks to proceed with this action. (Doc. 7.)

On May 26, 2011, Mendoza-Martinez filed a letter in which he asks to withdraw this action. (Doc. 8.) We construe the letter as a Motion to Withdraw the Complaint, we shall grant the Motion, and this case will be closed. An appropriate Order will enter on today's date.